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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,) CR. No. 07-0688 MAG
Plaintiff,) DECLARATION OF OFFICER APRIL
v.) RAMOS
MARINA SCANNELL,) Hearing Date: January 30, 2008
Defendant.) Time: 1:30 p.m.
) Judge: Hon. Bernard Zimmerman

I, April Ramos, declare as follows:

1. I am the arresting officer in the above- captioned case;
2. On September 23, 2007, at approximately 23:51 hours, I was on vehicle patrol in the vicinity of Lincoln Boulevard and Graham Street in the Presidio;
3. I observed a white Volvo bearing California license plate # 5WDR925 make an abrupt right hand turn into a parking lot between Buildings 36 and 37 off of Graham Street without displaying a turn signal;
4. At the time I observed the turn, I was facing the white Volvo and the Volvo turned abruptly into the parking lot right after it came close enough to my vehicle to see that I was in a patrol vehicle;

5. The parking lot the defendant turned into was a dead end parking lot and none of the businesses that use the parking lot were open at the time the defendant pulled into it;
6. The fact that the defendant turned abruptly after coming into view of my vehicle made me think that the defendant might be trying to avoid law enforcement;
7. I observed the white Volvo make an abrupt U-Turn in the parking lot and exit the parking lot and then observed the Volvo turn right onto Lincoln Boulevard;
8. I conducted a traffic stop of the vehicle on Lincoln Boulevard and Funston Avenue;
9. As I approached the vehicle, I detected the odor of alcohol;
10. I contacted the driver and identified her through her driver's license as Marina Scannell;
11. As I spoke to the defendant, I noticed an odor of alcohol emanating from the defendant, and noted the defendant to have red and watery eyes and slurred speech;
12. The defendant admitted she had been drinking and also admitted that she had turned abruptly into the parking lot because she had seen my patrol car;
13. I subsequently conducted several field sobriety tests on Scannell which she failed;
14. I conducted a preliminary alcohol screening test and the defendant blew a .132 % and .136%;
15. I arrested Scannell for Operating a Motor Vehicle While Under the Influence of Drugs or Alcohol;
16. I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief. Executed January 2, 2008, at San Francisco, California.

DATED: 01/2/08

Respectfully submitted,

APRIL RAMOS /s/